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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,281	10/31/2001	Brent McKay	12275-0013/JWE	3808

7590 03/14/2005

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EXAMINER

LAstra, DANIEL

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,281

Applicant(s)

MCKAY, BRENT

Examiner

DANIEL LASTRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/05/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 have been examined. Application 10/004,281 (INTERACTIVE MEDIA MANAGEMENT SYSTEM AND METHOD FOR NETWORK APPLICATIONS) has a filing date 10/31/2001 Claims Priority from Provisional Application 60244761 (10/31/2000).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsumoto et al (U.S. 2004/0111319).

As per claim 1, Matsumoto teaches:

A media management system comprising:

a web-based interface configured to:

provide substantially real-time media pricing (see figure 3);

provide substantially real-time media availability (see figure 3, paragraph 47);

and

facilitate substantially real-time buying of media (see paragraphs 66, 69).

As per claim 2, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is configured to:

provide substantially real-time media pricing for advertising (see paragraphs 48-66);

provide substantially real-time media availability for advertising (see paragraphs 48-66); and

facilitate substantially real-time buying of media for advertising (see paragraphs 66, 69).

As per claim 3, Matsumoto teaches:

The media management system as recited in claim 1, wherein the system is at least partially embedded into at least one inventory sales system of at least one media supplier (see paragraph 45).

As per claim 4, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is configured to use dynamic pricing models that are driven by a degree of targetability selected by a media buyer (see paragraph 66).

As per claim 5, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is further configured to provide real-time monitoring of selected performance statistics at least partially throughout a life of an advertising campaign (see paragraph 8).

As per claim 6, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is further configured to facilitate entry of a media plan profile thereunto (see paragraph 66).

As per claim 7, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is configured to translate media planning variables into pricing and availability for media inventory (see paragraph 69).

As per claim 8, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is configured to facilitate a real-time interactive process of modification and refinement by selecting media related variables and changing the selected variables (see paragraphs 48-66).

As per claim 9, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is configured to facilitate purchasing of media by sending an electronic purchase order (see paragraph 69).

As per claim 10, Matsumoto teaches:

The media management system as recited in claim 1, wherein the web-based interface is configured to distribute request for proposals to a plurality of media suppliers who have inventory which matches a media plan profile (see paragraphs 6, 30 and figure 4).

As per claim 11, Matsumoto teaches:

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A method for managing media, the method comprising:

using a web-based interface to provide substantially real-time media processing;

using the web-based interface to provide substantially real-time media availability; and

using the web-based interface to facilitate substantially real-time buying of media.

The same rejection applied to claim 1 is applied to claim 11.

As per claim 12, Matsumoto teaches:

The method as recited in claim 11, wherein:

using the web-based interface to provide substantially real-time pricing comprises using the web-based interface to provide substantially real-time pricing for advertising;

using the web-based interface to provide substantially real-time media availability comprising using the web-based interface to provide substantially real-time media availability for advertising; and

using the web-based interface to facilitate substantially real-time buying of media comprises using the web-based interface to facilitate substantially real-time buying of media for advertising.

The same rejection applied to claim 2 is applied to claim 12.

As per claim 13, Matsumoto teaches:

The method as recited in claim 11, further comprising at least partially embedding a portion of a media management system into at least one inventory sales

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system of at least one media supplier. The same rejection applied to claim 3 is applied to claim 13.

As per claim 14, Matsumoto teaches:

The method as recited in claim 11, further comprising using dynamic pricing models which are driven by a degree of targetability by a media buyer. The same rejection applied to claim 4 is applied to claim 14.

As per claim 15, Matsumoto teaches:

The method as recited in claim 11, further comprising providing real-time monitoring of select performance statistics at least partially throughout an advertising campaign. The same rejection applied to claim 5 is applied to claim 15.

As per claim 16, Matsumoto teaches:

The method as recited in claim 11, further comprising providing entering of a media plan profile into the web-based interface. The same rejection applied to claim 6 is applied to claim 16.

As per claim 17, Matsumoto teaches:

The method as recited in claim 11, further comprising translating media planning variables into pricing and availability for media inventory. The same rejection applied to claim 7 is applied to claim 17.

As per claim 18, Matsumoto teaches:

The method as recited in claim 11, further comprising facilitating a real-time editorive process of modification and refinement by selecting media related variables

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and by changing the selected variables. The same rejection applied to claim 8 is applied to claim 18.

As per claim 19, Matsumoto teaches:

The method as recited in claim 11, further comprising facilitating purchasing of media by sending an electronic purchase order. The same rejection applied to claim 9 is applied to claim 19.

As per claim 20, Matsumoto teaches:

The method as recited in claim 11, further comprising distributing request for proposals to a plurality of media suppliers who have inventory which matches a media plan profile. The same rejection applied to claim 10 is applied to claim 20.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


The Examiner is scheduled to move to the new Alexandria office in April 2005 (or later). The Alexandria phone number would be 571-272-6720 and RightFax number 571-273-6720. The examiner's supervisor, Eric W. Stamber, new Alexandria number would be 571-272-6724. The current numbers would be in service until the move.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

Daniel Lastra
February 28, 2005


RAQUEL ALVAREZ
PRIMARY EXAMINER